

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

PATENT, TRADEMARK & COPYRIGHT ATTORNEYS

P.O. Box 2938

Minneapolis, MN 55402

Telephone (612) 373-6900

Facsimile (612) 339-3061

Fax Transmission

To: Brian Stanton
Company: USPTO - Group 1600
Fax #: 703-746-7003

From: Candy Buending
Date: August 21, 2001
Re: SLWK #875.001US2

You should receive 16 page(s) including this one.
If you do not receive all pages, please call (612) 373-6953

FAX #2 OF 2

Matter: U.S. Patent Application Serial No. 09/077,572, filed October 13, 1998
NON-TOXIC MUTANTS OF PATHOGENIC GRAM-NEGATIVE BACTERIA
Apicella et al.
Examiner: S. Devi, Group 1645

Dear Brian:

This is the second of the two cases we discussed. Enclosed is a copy of our Amendment and Response Under 1.116 mailed 3/16/01 in response to the final Office Action of 2/21/01 (i.e., within the two-month period). A copy of the stamped postcard is also enclosed. (Again, I have not included the copy of Ex Parte Parks, although it was enclosed with our original filing.)

On 8/17/01 we filed the enclosed Notice of Appeal to keep the case alive. We have not yet received the return postcard.

We appreciate your efforts to help us sort these matters out. If I can provide any other documentation or information, please let me know.

Sincerely,

Candy Buending
Paralegal for Ann S. Viksnins
v: (612) 373-6953
f: (612) 339-3061
cbuending@slwk.com

OFFICIAL

This transmission contains information that is confidential and/or legally privileged. It is intended for use only by the person to whom it is directed. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us. If you do NOT receive all of the pages, please telephone us in the U.S.A. at (612) 373-6900 or FAX us at (612) 339-3061.

In re Patent Application of: Michael A. Apicella et al.
Title: NON-TOXIC MUTANTS OF PATHOGENIC GRAM-NEGATIVE BACTERIA
Serial No.: 09/077,572 Filing Date: October 13, 1998

Receipt is hereby acknowledged for the following in the United States Patent and Trademark Office:

CONTENTS: An Amendment and Response Under 37 C.F.R. 1.116 (10 Pages); a Copy of *Ex parte Parks*; a Return Postcard and TRANSMITTAL SHEET.

Mailed: March 16, 2001
ASV/cbb

Docket No.: 875.001US2
Due Date: April 21, 2001



44
28
Lenda
11/7/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael A. Apicella et al.
 Title: NON-TOXIC MUTANTS OF PATHOGENIC GRAM-NEGATIVE BACTERIA
 Docket No.: 875.001US2
 Filed: October 13, 1998
 Examiner: S. Devi
 Serial No.: 09/077,572
 Due Date: April 21, 2001
 Group Art Unit: 1645

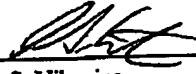
BOX AF
 Commissioner for Patents
 Washington, D.C. 20231

We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
- An Amendment and Response Under 37 C.F.R. 1.116 (10 Pages).
- Copy of *Ex parte Parks*

Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and
 please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
 P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By: 
 Atty: Ann S. Viksnins
 Reg. No. 37,748

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: BOX AF, Commissioner for Patents, Washington, D.C. 20231, on this 16 day of March, 2001.

Name

Candy Bunting

Signature

Randy Bunting

Customer Number **21186**

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

(GENERAL)